

REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1, 2, 4, 6 - 17 and 19 - 22 are currently pending, with claims 3, 5 and 18 having previously been canceled.

Claims 4 and 20 - 22 are presently canceled without prejudice or disclaimer of the subject matter therein.

Claims 1, 6 and 7 are presently amended. No new matter is introduced. Support for the amendments may be found, for example, with reference to Applicants' specification at page 9, line 18 through page 10, line 2 and page 10, line 19 through page 11, line 26, and with reference to Applicants' FIGs. 4(c), 6 and 7.

II. Rejections under 35 U.S.C. § 103

Claims 1, 2, 6 - 8, 10, 11, 17 and 19 - 22 are rejected under 35 U.S.C. §102(b) as being anticipated by McFall et al. (U.S. Patent No. 6,183,587, herein "McFall"). Claims 1, 2, 4 and 10 - 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Mayer et al. (U.S. Patent No. 5,853,401, herein "Mayer"). Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over McFall in view of Lenker et al. (U.S. Patent No. 6,461,340, herein "Lenker"). Claims 14 - 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over McFall in view of Farris et al. (U.S. Patent No. 6,131,736, herein "Farris"). Applicants cancel claims 4 and 20 - 22 without prejudice or disclaimer, and submit that the rejections of claims 4 and 20 - 22 under 35 U.S.C. §§102, 103 are

therefore moot. Applicants amend claims 1, 6 and 7 to further clarify the nature of their invention, and respectfully traverse the rejection of claims 1, 2, 6 - 17 and 19 under 35 U.S.C. §§102, 103.

Amended independent claim 1 claims an interlabial pad comprising: a) a water permeable surface side sheet facing a body side, b) a back side sheet facing a garment side, c) a water permeable inner sheet between the surface side sheet and the back side sheet, and d) an absorbent body. The absorbent body includes: 1) a first absorbent body that forms a first protruding area towards the body side, 2) a second absorbent body having a first flat area extending to the first protruding area, and 3) a third base absorbent body on the back side sheet and affixed to the second absorbent body along edges of the interlabial pad and through the inner sheet. The first absorbent body and the second absorbent body are formed by a single sheet enclosed between the surface side sheet and the inner sheet.

McFall discloses a sanitary napkin 20 (see, e.g. FIGs. 1, 2 of McFall). The Examiner suggests that McFall's containment web 44 corresponds to Applicants' claimed surface side sheet, that McFall's absorbent material 22 corresponds to Applicants' claimed first absorbent body, that McFall's base pad 24 corresponds to Applicants' claimed second absorbent body, and that McFall's backsheet 72 corresponds to Applicants' claimed back side sheet. In sharp contrast to amended independent claim 1, McFall's absorbent material 22 and base pad 24 are clearly not formed by a single sheet that is enclosed between containment web 44 and an inner sheet (e.g., McFall's topsheet 70) positioned between the surface side sheet and the back side sheet. Because the sanitary napkin of McFall fails to read on each and every element of Applicants' invention as claimed in

amended independent claim 1, Applicants respectfully submit that amended independent claim 1 is not anticipated or made obvious by the sanitary napkin of McFall.

Mayer discloses a body-fitting compound sanitary napkin 200 (see, e.g., FIG. 13 of Mayer). The Examiner suggests that Mayer's topsheet 212 corresponds to Applicants' claimed surface side sheet, that Mayer's primary absorbent member 210 corresponds to Applicants' claimed first absorbent body, and that Mayer's secondary absorbent member 220 corresponds to Applicants' claimed second absorbent body. Like McFall, Mayer fails to clearly teach that the primary absorbent member 210 and the secondary absorbent member 220 are formed by a single sheet that is enclosed between containment web 44 and an inner sheet positioned between the surface side sheet and the back side sheet. In addition, Mayer fails to teach Applicants' claimed third base absorbent body on a back side sheet and affixed to secondary absorbent member 220 along edges of the interlabial pad and through an inner sheet. Because the sanitary napkin of Mayer fails to read on each and every element of Applicants' invention as claimed in amended independent claim 1, Applicants respectfully submit that amended independent claim 1 is not made obvious by the sanitary napkin of Mayer.

Amended independent claims 6 and 7 claim an interlabial pad comprising: a) a water permeable surface side sheet facing a body side, b) a back side sheet facing a garment side, and c) an absorbent body. The absorbent body includes: 1) a first absorbent body that forms a first protruding area towards the body side, 2) a second absorbent body having a first flat area, 3) a third base absorbent body that forms a second protruding area that protrudes in a direction opposite to the direction in which the first protruding area projects, and 4) a fourth absorbent body that forms a

second flat area. The first and second absorbent bodies are formed by a first unitary absorbent body, and the third and fourth absorbent bodies are formed by a second unitary absorbent body. The first and second unitary absorbent bodies are affixed such that the first and second protruding areas are substantially axisymmetric with respect to the first and second flat areas.¹

With reference to FIG. 2 of McFall, the Examiner suggests that a second protruding area ("20A") is illustrated having a second flat area affixed to the first flat area of the second absorbent body. Applicants presume that the Examiner's reference to "20A" is intended to refer to fold line F_2 forming the lateral side edges of the tube of absorbent material 22. However, and in sharp contrast to Applicants' amended independent claims 6 and 7, the first absorbent body (i.e., the portion of McFall's absorbent material 22 that forms the first protruding area defined by fold line F_1) is not formed together with McFall's base pad 24 (corresponding to Applicants' claimed second absorbent body) as a first unitary absorbent body. Moreover, the first and second protruding areas F_1 , F_2 of McFall do not project in opposing directions and are not substantially axisymmetric with respect to the first and second flat areas. For at least these reasons, Applicants respectfully submit that McFall fails to read on each and every element of Applicants' invention as claimed in amended independent claims 6 and 7. Accordingly, Applicants submit that amended independent claims 6 and 7 are not anticipated or made obvious by the sanitary napkin of McFall.

Applicants submit that the interlabial pad claimed by amended independent claim 7 may be further distinguished over the sanitary napkin of McFall. As compared to amended independent claim 6, amended independent claim 7 further claims that the fourth absorbent body provides a

¹ i.e., having symmetry with respect to a common axis defined by the first and second flat areas.

hollow part formed in a shape corresponding to the second protruding area and extending along the center line from one end to another end with openings at each of the ends. While portions of McFall's absorbent material 22 are hollow along its length, reference to McFall's FIG. 1 clearly illustrates that the sanitary napkin 20 of McFall does not include Applicants' claimed openings at each end that extend from hollow areas of the protruding part.

For at least the above-argued reasons, Applicants respectfully submit that amended independent claims 1, 6 and 7 are neither anticipated nor made obvious by the cited references, and stand in condition for allowance. As claims 2, 8 - 17 and 19 each depend either directly or indirectly from one of allowable claims 1 and 6, Applicants further submit that dependent claims 2, 8 - 17 and 19 are also allowable for this reason.

Therefore, Applicants respectfully request that the rejection of claims 1, 2, 6 - 17 and 19 under 35 U.S.C. §§102, 103 be withdrawn.

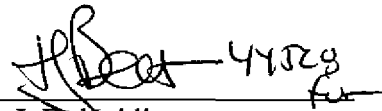
CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

Dated: July 20, 2007

Respectfully submitted,

By 
Louis J. DeJuidice
Registration No.: 47,522
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant